UST A TRETATIVE REPORT, TRICHMAN SATS.

Q: Have any conversation with Taylor about the report? A. I told him that my results could not be verified, except by examining the books of the company. I said then and I say now that my report was only tentative. I had no idea my report was to be given to the newspapers or to the District Atterney.

BY'S "DISCOVERIES" NEW TO HIM.

AMON'S "DISCOVERIES" NEW TO HIM.

The witness was cross-examined as to whether he found out that, as Amory swore, some roads were built over three or four times, according to figures in the reports to the Railroad Commission, and as to a number of other matters to which Amory testified. Teichmann declared that he found nothing about these matters in the documents he examined.

Amory's attorney then said that all Teichmann's testimony did not help the company a bit, since it did not touch on any one of Amory's finds, the total of which makes, according to the Amory camp, between \$25,000,000 and \$30,000,000.

"Oh, of course, this is nothing," said Mr. Nicoll. "I don't wonder you sputter. The finding of twenty-four of your stolen millions in fifteen minutes must have struck you in the solar plexus."

At the close of Teichmann's testimony the hearing was adjourned until next Wednesday morning.

odnesday morning.

VBEELAND ON THE BAID.

President Vreeland gave out last night of following statement:

President Vreeland gave out last night the following statement:

Pending the hearing before Magistrate Barlow and the investigation by the District Attorney's expert, Mr. Teele, I had not intended to say anything further concerning the reports of the Metropolitan Street Railway Company and the charge that they did not disclose the true state of its affairs; but the conduct of Mr. Pinioin in giving out through the newspapers his so-called report and the effort to frighten our stockholders by the renewal of the bear raid in Wall Street to-day impel me to say to the public, and especially to the holders of Metropolitan stock, that Amory's testimony and Philbin's report are both wickedly false.

There have been three stages of this attack upon our company. The first was consummated when Keene and Taylor employed Amory, together with two expert accountants, in the manufacture of a report by which our surplus was converted into an enormous deficit. The conclusions of these accountants, however, are now altogether abandoned.

Both of them have admitted that they were wrong, and one of them, Mr. Teichmann, explained in court to-day that their results were obtained by the simple process of charging against us the liabilities of certain subsidiary companies without crediting us with their assets. He explained that these liabilities had all been set forth to him by Amory, but that the corresponding assets had not been shown at all; so that he and his associate expert had worked out their deficit by taking one side of the account only.

The second phase of the attack made its appearance in the District Attorney's office, where Amory and Coleman Drayton filed these now abandoned experts' reports, to set the with a great mass of other matter ingeniously prepared by Amory, from which, by artful, ignorant and nonsensical comparisons, such as he made upon the witness stand the other day, he drew the inference that our reply by an examination of our books. We bide him that he will report to the District Attorney's office.

PHILB

Now at the moment when the District Attorney's expert Mr. Teele, is about to make his report, the third phase of the attack develops, and Mr. Philbin, in the guise of an attorney for a stockholder, springs to the front with a report of what he calls his investigations. Philbin's statement is simply a rehash of the matters into which Mr. Teele has been inquiring, together with such elaborations as Philbin and Amory have concoted within the last thirty days.

In a letter to Mr. Crimmins Mr. Philbin has explained that he went into this attack upon our company upon the assurance that his reward would be fame and fortune. What his client, Braker, went into it for may be assumed from the fact that he was not a stockholder, but was 1,000 shares of Metropolism thort of the market on the day when Mr. Philbin was proclaiming in the pewspapers that his client was a stockholder of record and that he had undertaken his investigations only for the purpose of advising that elient whether he would better sell or retain his Metropolitan holdings.

The sincerity of his course appears from the fact that while he was claiming to the public to be acting in a quasi-judicial capacity, he was furnishing, and offering to furnish his material to the newspapers and actually published his so-called report the very moment he had sent it to the company in the name of Braker as a stockholder, asking for an explanation. PHILBIN'S REPORT RIDDLED.

the name of Braker as a stockholder, asking for an explanation.

NO ONE OF THE CHARGES JUSTIFIED.

The stockholders of the Metropolitan Street Eallway who have seen their property develop from twenty-five or thirty competing horse-car lines into the united, harmoniously operated system of mechanical traction that now serves the convenience of the people of New York may accept without reserve my assurance that their company has an abundant surplus, that there has been no misappropriation of its funds, no marking up of its assets, no concealment of its liabilities, no higher expense of construction than the urgency of the work justified and that the progress of the trial before Magistrate Barlow will prove that not a single one of the inferences suggested in Amory's testimony and Philbin's statement is justified by the facts.

*ABSOLUTELY UNFOUNDED, SAID STEPHEN

ABSOLUTELT UNFOUNDED," SAID STEPHEN

testimony and Philbin's statement is justified by the facts.

"ABSOLUTELY UNPOUNDED," SAID STEPHEN LITTLE.

With this statement Mr. Vreeland gave out a letter sent to him by Stephen Little, the expert accountant. This letter is as follows:

Dear Sir: I have read the so-called "Philbin charges" with reference to the financial condition of your company, which accompanied Mr. Braker's letter of April 15, 1903, and find that they cover practically the same ground as Mr. Amory's testimony before Mr. Justice Barlow at the hearing on Wednesday, at which I was present.

They are also, to a large "Richt, a repetition of the matters submitted for explanation by the Honorable District Attorney, to the investigation of which, at your request, I devoted several weeks. I am, therefore, in a position to say, with reference to such of these charges as I have examined, that they are absolutely unfounded. The charges which I have not examined are of such a character that they can, I believe, be as easily explained as all the others. Yours very truly,

WRELLAND LAUGHS AT AMORY'S BUGABOO.

After giving out his statement and Mr. Little's letter Mr. Vreeland was asked how, during all the years that the officers of his company had been stealing the millions, as charged by Amory, he had been able to keep his bookkeepers and accountants quiet.

"Oh, it must have been by a powerful hyporite influence," said Mr. Vreeland, smiling. "But take this question of liabilities and assets, regarding which we are charged with making false statements.

"We lease a number of independent companies and to them pay a fixed rental. We have nothing to do with their stocks and bonds and other liabilities which these people have included among our liabilities. But so long as these liabilities were charged with making false statements.

"We lease a number of independent companies and to them pay a fixed rental. We have nothing to do with their stocks and bonds and other liabilities which these people have included among your assets the value of the property

EAST SIDE ARTISTS WORK.

Exhibition at Educational Alliance Antiquities Shown, Too.

An exhibition of the art work of classes under the direction of the Educational Alliance opened in the Alliance building at Jefferson street and East Broadway last night. The exhibition will continue to-day and to-morrow between 3 and 5 o'clock in the efternoon and 8 and 10 o'clock in the evening. The students' work in painting, sketching from models, drawing from casts, and in composition is shown, as is also their work in design.

In connection with the display of the art students' work there is an exhibition of Jewish antiquities in metal, mainly brass and copper dishes and utensils, and there is also an exhibition in the same building of the work of East Side artists in oil and water color. An exhibition of the art work of classes

At the Board-As the Mayor Put It, Murphy Between the Devil and the Deep T. C.—Sim Ford's Melanchely Remarks on the Amended Raines Law-Jeb Hedges and Tim Woodruff Glitter Too.

RUBBING ELBOWS

The annual jollification of the brethren of the Amen Corner, an organization of Democrats, Republicans, reformers, professional men, tradesmen and men of every shade of political and religious belief, took place at the Fifth Avenue Hotel last night, and, like the dinner to Gov. Odell n 1901 and like the dinner to Senator Platt

in 1902, was a noisy but entire success.

When the brethren sat down to dinner at 8 o'clock in response to the clanging of a huge boarding-house bell wielded by the sturdy hand of President Edward G. Riggs the head table presented a remarkable spectacle. Seated between United States Senator Thomas C. Platt, who looked even younger than he did a year ago, when he was the guest of honor at the Amen dinner, and Mayor Low sat Charles F. Murphy, leader of Tammany

ALL HATCHETS BURIED.

Nothing could have emphasized the nonpartisan character of the Amen Corner gathering more thoroughly than the excellent terms upon which these three guests soon found themselves. When the speechmaking began they were cracking jokes at each other at a lively rate, and no one who was at the dinner will think much of the campaign bouquets which will begin to fly very soon now, for three more amiable, well-disposed persons it would have been hard to find.

When the brethren of the Amen Corner set out to have a good time they are very apt to have it. They had it last night by the usual method of good music, good jokes and good speeches.

There was also an exhibition of fine art works, portraying some of the prominent guests in the pugilistic attitudes in which the newspaper reading public imagines them. Huge canvases showed Mayor Low and Congressman McClellan, the prospective Tammany candidate for Mayor, stripped to the waist and aiming knockout blows at each other's solar plexus; Comptroller Grout and Fire Commissioner Sturgis, similarly unattired, but facing the audience rather than each other, and Chairnan Morris of the Republican County Committee and Leader Murphy of Tammany feeling for sensitive spots upon each other's person.

A fourth canvas showed Attorney-General Cunneen, sprinkling pail in hand, posing as the only Attorney-General of the State ever elected by the Prohibitionists. The pictures made a big hit, and no one was nore amused at them than the men por-

Some of the prominent Ameners and guests present last night were Rabbi Joseph Silverman, ex-Lieut. Gov. Woodruff, John Silverman, ex-Lieut. Gov. Woodruff, John C. Sheehan, Senator Platt, Job. E. Hedges, Simeon Ford, Mayor Low, Charles F. Murphy, Robert C. Morris, Thomas C. O'Sullivan, Comptroller Grout, Abram, Chamberlain, the Rev. Dr. David J. Burrell Albert B. Boardman, ex-Attorney-General John C. Davies, Oren Root, Frederick S. Gibbs, Capt. F. Norton Goddard, Herman Ridder, G. Tracy Rogers, Fire Commissioner Sturgis and Lispenard Stewart. SONGS AND SPEECHES IN BETWEEN.

Following the custom at Amen dinners, whenever anybody had anything to say worth listening to he bolted the dinner to say it. In the same way, whenever Chairman Riggs thought enough eating had been done he called a halt while somehad been done he called a hat white some-body sang a song or made a speech.

The first interruption came from Brother Hawley, who got up and informed the chairman that he had something to say.

He then announced that he had just rehe then announced that he had just received a nominating certificate for the
next municipal election, but that there
was a blank space in it to be filled with the
name of a candidate for Mayor.

"Is there a candidate for the office
present?" he demanded, looking straight
at the Mayor. "If there is let him rise."

Mr. Murphy and Senator Platt roared
at the Mayor, who took the joke goodnaturedly.

naturedly.
Chairman Riggs then proposed the health of the President and while it was being drunk an irreverent quartet started up:
"All Coons Look Alike to Me."

A TOAST TO THE DEPARTED.

A TOAST TO THE DEPARTED.

After Brother Flanagan had sung the Amen Corner anthem. Drill, Ye Tarriers, Drill, to an accompaniment of six-shooters and waiters' trays, Chairman Riggs called on everybody to rise and drink the toast he would propose. He said:

BRETHREN: I hope to establish to-night a precedent for future feasts of the Amen Cornet. In the whirl of the world, the kindest heart is too prone to forget or but faintly to remember the brethren who to-night are aleeping under newly planted pansies and daffodlis.

So let us drink to all that was excellent,

aleeping under newly planed pansies and daffodils. So let us drink to all that was excellent, all that was tender, sturdy and companionable in those who have left us since our last meeting. I will read their names: John S. Kenyon, Patrick F. Trainor, Silas Croft, James D. Feeter, William J. Glenn, F. G. Kimball, Daniel P. Pease, Julian Ralph, Wilbur H. Weston.

MORE PUN WITH THE MAYOR. A little further along in the dinner Brother Hawley handed up this document to Mayor Low, which was read amid great laughter:

Hen. Scth Low, Mayor.

In answer to the persistent rumors that the Amen Corner has in some mysterious way raised a fund of \$30,000,000 to promote your reflection, I, John Doe, a well-known and useful citizen, do hereby certify that the Corner has not yet raised \$1 for any such purpose.

way raised a fund of 330,000,000 to promote your reselection, I. John Doe, a well-known and useful citizen, do hereby certify that the Corner has not yet raised \$1 for any such purpose.

Subscribed and sworn to before Fusion Movement, this seventeenth day of April, in the second year of reform.

The first speech of the evening was made by Job Hedges, who said in part:

WHAT JOB HEDGES SAID.

Mr. President, members of the Amen Corner, distinguished guests, guests who would like to be distinguished, and who are distinguished by being here: I assume the function ascribed to me with diffidence and modesty, appreciating the tendency toward innovation. We substitute to-night a human toast card for the orthodox printed announcement. The fact that the rôle has fallen to me need not militate against the inspiration of the change in customary procedure.

There are a few who do not understand the moving principles of this organization. Ancient chroniclers in enumerating the tribes and peoples of the earth over-looked the Amenites, probably on account of their retiring disposition and their failure to multiply as rapidly as their tribal brethren. While the tendency toward racial suicide was marked and glaring, and the strenuous life which characterized the temporal existence of others, the Amenites, conscious of worth, and dedicated to a higher principle, dévoted themselves and their talents to the broader walks of mentality, and from that day until the present have been an inspiration for the pursuit of human knowledge, and while others have multiplied, they have counted and as they have counted, have settled all open questions of discussion, whether in the arts or sciences, in the sphere of commerce or politics. When their amen is heard, chanted in chorus, it means that the world has caught up, and they have moved on in advance. We are, therefore is our sixth incarnation, leaving but one more before the final dissolution.

We are not here to-night to give money value to those who have paid for tickets, nor a bill of heal

AMEN CORNER'S YEARLY FRAST

they have in mind, and many doubtless there must be. By a full exchange of views they may receive the benefit of the inspirations of the evening, and the satisfaction that if they have gained our applause they have not lived in vain, and if they do not satisfy, and the thumbs are turned down as in ancient Rome, that then their careers are MAYOR INVITED TO FRANKNESS.

clent Rome, that then their careers are through.

MAYOR INVITED TO FRANKNESS.

If they don't pass muster, they will not be sworn in. It cannot be, therefore, that our worthy Mayor appears here with other than feelings of gratification, obligation and moral indebtedness. To him, doubtless, many of his problems have seemed difficult; to us they appear easy; as brothers and umpires we will' be glad to know from what standpoint he views the problem of municinal reform, whether he thinks it culminated and crystalized into accomplishment on the ist of January, 1992, or whether it will prove a purely tentative question unless two years of further indulgence should be granted.

We do not for an instant assume that vaulting ambition is to take the place in his mind of self-immolation upon the altar of duty, but if there is to be any immolation we propose to have a hand in it, with a joint understanding as to how much immolation is to be done. The Mayor need not hesitate, not a bit in declaring his beliefs in this place, whether he thinks immolation is easier without the assistance of a District Attorney or with it. He can be entirely frank, and we expect it, or else we cannot assist him in forming his views upon the question of whether the opportunity for drink should be interesting to know whether the Mayor believes that the police force has been respensated, and whether the blight of graft has been removed, or whether the eggs of promise which were so carefully and secretly laid during the first year of his administration will be hatched into accomplished results, and whether the brood will contain ducks as well as chickens. It may be that with some of his chosen assistants he will resort to the lines of Shakespeare, and say, "that those things we do determine, of twe break, for purpose is but the slave to memory." In a word, with the open-heartedness of hospitality, with the genuineness of faternal feeling, with the worth and magnetism of personal assurance as his inspiration, we break for purpose is but the slave to

be unharmed in the hearing, and the public will accept it with patient acquiescence.

GREETINGS TO WOODRUFF.

Not less cordial is our invitation to our brother Woodruff, who having survived a triple existence as Lieutenant-Governor must be charged, and heavily charged, with political memories. Doubtless he will have something to say upon the real question of the day, as to what three of a kind really beats, and whether if he drew another card, what he would wish that card to be. He need be timid neither in speaking of the past nor presaging the future, and we expect him to lay bare his heart, and tell us its most secret wish; we are for anything he wants, if he has the delegates and the votes.

Not last in interest will be the remarks to be uttered by our former friend, exsented of Sullivan. With him it may be that time is of the essence of the contract and he may know, and we can tell him whether he is correct, how long a time he expects it will take to be restored to favor with the powers that are; does he think that because he has survived political measles that it is just for him to expose hims if to political typhoid, and what are his plans for regeneration, so that he may pass from the penumbra of political favor in which he has been cooling himself for some years into the deep and quiet shade of actual favor.

GETS BACK AT SIMEON FORD.

There remains one other distinguished gentleman who will enlighten us with his

There remains one other distinguished gentleman who will enlighten us with his judgment, exhilirate us with his wit, and rejuvenate us with his youth-producing comments, the Hon. Simeon Ford. No small talents are his Prose, poetry and pictures are equally felicitous with him. So much so that even in his all-embracing hostelry where is a place reserved for each of the talents, where they may be exercised by himself or strangers. The state of the s

asked Mr. Murphy who that could possibly be, he replied: "I really don't know that kind of dough, Mr. Mayor." [Laughter.]

Mayor Low paid a tribute to Senator Platt. He told of the work of the Board of Estimate to finish up streets in the outlying districts of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and after painting a pretty picture of the city, and then the city you did so much to create."

Dinner was finished at the conclusion of Mr. Low's speech, and then Chairman Riggs called on Simeon Ford, who said:

SIMEON FORD'S SPEECH.

When the abr. 'ed edition of Peter F. Dailey, who is presiding to-night, with such entire satisfaction to himself, called upon me to invite me here, I asked him the purpose and object of the Amen Club, in order that I might intelligently address you. He was unable to enlighten me, but remarked that he was not looking for any display of intelligence on my part, but just wanted me to make one of my regular after-dinner speeches. He intimated that any man who habitually perpetrated after-dinner speeches must be lacking in intelligence, and I fully indorsed his views. I would rather indorse his views than his note any time. So I don't know much about the Amen Corner.

From an occasional persual of that brilliant though billous sheet, the Erening Post, I gather that the Amen Club is made up of thieves, murderers, assassins and sycophants who gather under this roof to fawn upon and cringe before our senior Senator.

The Sun says the Amens are the elect and chosen of the earth, who assemble here to regulate and conduct the universe, to steer the ship of State, and that where two or three are gathered together there is always something d

President Riggs, in his cute, saucy way, stated that the dinner was an Omnium Gatherum (whatever that is!) and would be attended by Republicans and Democratsthe just and the unjust—Mugwumps, Anarchists, Socialists, grafters, bunco steerers, goldbrick disseminators and Reformers, and that I would feel perfectly at home, especially if I left my pocketbook behind. One of the hotel employees tells me the Amens are people who are sagacious enough to get in out of the wet, and who are wont to loil, free from care and expense, on those beautiful red plush benches in the lobby, because it gives them the temporary sensation of being on velvet. He said they were to be found there at all times save when the wind was high in front of the Flatiron Building, when they ceased to linger and went in for lingeric. JOSHES THE AMEN POLES.

ing, when they ceased to impersion of lingerie.

I was shown the Amen Corner. I noticed that it lay midway between the office and the bar-between the settling and unsettling place—between the safe and the unsafe—and that a well-defined track or path had been worn in the marble tile leading thence straight to the free-lunch counter.

THAT TOUCHING QUESTION EXCISE. And speaking of free-lunch reminds me of the Republican party and the reforms they have brought about in the sale of liquor in this State. This is a question which touches me deeply. It will touch me for \$1,200 this year. The first break they made was to declare the giving rway of food with liquor a crime, and immediately the free lunch disappeared like a tale that is told, and it was not until the party ranks began to be decimated by starvation, and the cheese and pickle promulgators up the State began to murmur, and the courts held that a citizen could not be deprived, under the Constitution, of life, liberty or the pursuit of free lunch, that the G. O. P. took a tumble.

Next our friend Raines from Casandaigua got busy and it was decreed that only hotels. Next our friend Raines from Canandaigua got busy and it was decreed that only hotels could disseminate rum on Sunday, and then only to guests; that any building containing a cuspidor, a bar of soap and an indestructible annowich was a hotel, and that any man who possessed a thirst thereby constituted himself a guest. Thus, at one fell swoop

And this year our good Governor to whom taxation is a relaxation has bounced us up to 1,200 plunks per, declaring in the same breath that this would wipe out the curse of per cent. These ill-gotten gains are to be used to build canals. You all remember the feat described in the Scripture of turning the water into wine. It remained for the process. If the party remains in power I suppose the excise fee will be jacked up annually and the canals will grow and the saloons will dwindle until we will be left to cry as did the Ancient Mariner:

"Water, water everywhere,

Water, water everywhere, But not a drop to drink."

REMARKS ON JOB HEDGES.

The papers have said that at this dinner the Hon. Job Hedges and I would contest for the after-dinner championship and a diamond belt. I have no desire to enter the lists with the gentleman with the ambiguous Christian name. I would no more venture to exchange sallies with him than I would to exchange checks with him. I admit that I am not in his class. When he speaks his brain works—when I speak my jaw works, but my brain rests.

I do not crave a diamond belt. The tunnel builders have given me all the belts I want. I don't think a diamond belt would become my severe and classic style of beauty anyhow, but Job in a straight front diamond belt would be a sensuous and intoxicating dream.

but when I get a belt I would prefer it on the point of the jaw and not in the solar plexus.

It is said that since Joe Choate went to the Court of Sinjims and Horace Porter to the City of Paresis and Chauncey Depew moved over into the State of Matrimony after-dinner speaking has become a lost art. But Job and I have done our best to fill the breach, though Job's figure is better adapted to filling breeches than mine.

Still, in our poor weak way we have tried to add to the gayety of nations, and if we have failed it has been an honorable failure and we are a good many square meals ahead of the game. We have had our pictures in the papers, and we can say with the poet:

"It's better to have spoke and flummuxed, than never to have spoke at all."

TIM WOODBUFF CALLED UP. Ex.Lieut.-Gov. Woodruff said in part:

Ex. Lieut.-Gov. Woodruff said in part:

Mr. Toastmaster and brethren of the Amen
Corner, I salute you. I rushed over here
from a great banquet in Brooklyn and at a
breakneck pace from Long Island to Manhattan Island, and, despite the jolting over
excavated thoroughfares, I am still so full
tof dinner: that I feel a great deal like the
Long Island girl who said she had eaten so
many clams that her bosom rose and fell
with the tide.

A year ago I made a flying trip from Hot
Springs, Va., almost as far away as Brooklyn to attend the Amen dinner and participate with you in honoring and paying tribute
to my political friend of a lifetime, Senator
Thomas C. Platt.

On that occasion I was not honored as I
am to-night by being asked to make a speech.
Then I was the Lieutenant-Governor of the
State. To-night I am only a private citizen.
How greater honors come as lesser ones go!
All the speakers to-night are out of politics.
Even the Mayor is said by disappointed officeseekers to be out and never to have been in
politics. Nevertheless, let me say to you,
my friends, he is New York's only salvation
as a candidate against Tammany Hall next
fail. His record is far better than that of any
of his predecessors and no one but he can
have that record to his credit as a candidate.

But even if they do insist on taking the
lead and demanding that we shall subserviently follow them, we must constantly bear
in mind that the loss of our pride and prestige
is as nothing compared with the loss to the
city of New York of an honest and efficient
administration.

I am glad to have been in politics, but I

Robert J Wright, who while Commissioner of Robert J Wright, who while Commissioner of Corrections removed Fallon in 1896 from the place of warden of the city prison, has been set aside by the Appellate division and a new trial ordered. Fallon was reinstated by the Court of Appeals and he sued Wright for damages. The Appellate division says Fallon was undoubtedly entitled to actual damages, but not to punitive damages.

tive damages. New Theatre for Rockaway. John W. Wainwright has begun the rection of a new theatre at Rockaway

erection of a new theatre at Rockaway Beach. It is on the ocean front, between Murray's pavilion and the Iron Pier at Sea Side, and will have a frontage of 125 feet and a depth of 250 feet. It will be two stories high, with a colonnade front. A feature of the place will be the roof garden, which will afford a view of the Atlantic Ocean and Jamaica Bay. \$200,000 Fire at Dallas, Tex. DALLAS, Tex., April 17.-Fire to-day estroyed the large warehouse of the Par-

lin & Orondorf Company, whose factory is at Canton, Ill. It was filled with buggles, carriages and agricultural implements. The company estimates its loss at \$200,000; insurance \$72,000. Builder Killed by a Fall. Samuel Parks, a builder of Williams-

burg, who lived at 209 Division avenue, was killed last evening by falling from the second story of a building at 208 South Eighth street. He was 55 years old. JOTTINGS ABOUT TOWN.

The Sangster Club of Christodora House will give a "shoe entertainment" in the hall of the Hoys' Club, at 161 avenue A, this evening at 8 o clock. The body of a man about 50 years old was found yesterday in the Hudson River opposite Riverdale. Members of the family of Adolphe Openhym who saw the body said that it was not his. yesterday in the Hudson River opposite when who asw the body said that it was not his.

A judgment for 30,467 was entered yesterday against Jacob Cram, in favor of Dr. W. Seward Webb, for the amount due on two notes aggregating \$5,500 made by blm in October, 1902.

The Marty Company, which has a restaurant at 117 and 119 West Thirty-second street, made an assignment yesterday to George Robinson. It is handsomely fitted up, and is known as "The Elitte."

The Rev. Dr. W. S. Rainsford and the Hon. Lyman J. Gage, ca. Secretary of the Treasury, are two of the speakers announced for the dinner of the class of '65 of the New York University School of Commerce, Accounts and Finance to-night, at the Hotel St. Denis. Dr. Rainsford will speak on "The Christian a Balance Sheet."

The tenth annual meeting of the Union Settlement Association, which dues neighborhood work in the vicinity of 10tth street and Third avenue, will be held on Monday evening in the Adams Chapel, Park avenue and Sixty-ninth street. The settlement will open its new gymnasium at 207 East Ninety-ninth street this evening.

The conviction of Orlando J. Hackett for grand larceny in having misappropriated \$2,300, the proceeds of the sale of three Chesapocake and Ohio Hallway bonds belonging to Mrs. Emma Butler, was advised by Hackett to sell the bonds. When she wanted the proceeds he told her he had reinvested the money and lost it.

King Baby Rules The World.

ONE JUSTICE DECLARING THE WHOLE PRIMARY LAW BAD. When the Vital Elements | Coursing through the Arteries That's Incidental to the Decision and and Veins become Thin and Politicians Want to Knew What It Will Mean—Big Bill Says He'll Go On Poor, they must be Supplied with New Material and New Food before they can Replenish on the Tammany executive committee received a knock-out blow yesterday when the Appellate Division of the Supreme the Waste constantly taking place in the Tissues of the body. Court annulled an appeal from Justice Lev-

entritt's writ ordering the Tammany general

committee to recognize the ex-chief as a

member of the executive committee and

to drop the contest against the Ninth

n substance that the executive committee

Chief Justice Van Brunt's words that they felt unable to express any opinion as to the final outcome of it.

The fight over Devery's effort to break into Tammany Hall in spite of the opposition of its leaders dates back to the General Committee's refusal to recognize his delegates. A stay enjoining the General and Eventive committees from taking any

and Executive committees from taking any action, till they had decided Devery's claims as granted by Justice Gaynor in Brooklyn and the Tammany General and Executive committees have been unable to meet

Assembly district delegates.

Justice Van Brunt:

lity of the law involved.

We have gathered from Nature's storehouse those necessary elements-purified and re- Have You Tried It? The decision was unanimous. It says fined them in our Laboratories. The Glycerinated-Hypophos-

is nothing but a creation of the general phites of Lime and Soda, tone committee, which has a right to make its own rules as to its composition and election. for bone and nerve strength; An interesting feature of the decision was this brief opinion appended by Chief Guiacol-Antiseptic and Germicide, combining them with I concur. I also think the proceedings should Purest of Pure Norwegian Cod e dismissed because of the unconstitution The law in question is the Primary law Liver Oil - all health-giving, of this State. While the direct value of waste-repairing, blood-forming, the Chief Justice's laconic utterance hardly tissue-building Food-Medicine exceeds that of any expression of private opinion from him, legal authorities said last-night it tends to throw serious doubt on the validity of the Primary law and to encourage attacks on that law.

Lawyer Charles L. Hoffman, who has represented the Tammany General Committee in this case, said yesterday that he had not the least doubt that attempts would be made by several parties on the first opportunity to knock out the entire law. Politicians and other persons interested in the law were so much surprised yesterday by the unexpected issue raised by Chief Justice Van Brunt's words that they felt unable to express any opinion as to exceeds that of any expression of private - Ozomulsion - a Food and Medicine that makes King Baby healthy, Men Manly, and Women Strong.

If there is so much as One Grain of Doubt remaining with you About This, let us Remove it in Our Way. Our Way is to Give Free to all who Apply a Bottle of Ozomulsion, that It May Bear Witness that Our Statements Are

started in to fight we ain't going to run away to fight again another day. We've whooped up in battle and we'll fight to a finish. This time it don't matter how many cope they have in the cellar. We're goin' to march over there, all of us, and if there's any inter-ferm' with us we're going to tie them up again just as tight as we've done the last four months.

just as tight as we've done the last four months.

I'll continue the battle for the executive committeeship. I'll win. We'll all win. The day will come when the doors of Tammany Hall will be thrown open to all of us and we'll be able to sign all what comes along. All you people got to do is to have confidence in yourself and the men at the lead, and I can assure you right here there's no quitters.

The association elected four new members of the General Committee to fill vacancies caused by death. One of the new members is Frank Farrell, who says that he never was in a poolroom or gambling house in his life.

A resolution was also adopted, condemning the Republican party for raising the excise license tax. since.

During the argument in the Appellate Division it was contended by the Devery side that recognition had been refused to the delegates from the Ninth Assembly district by the General Committee. This was denied by the committee. Justice Ingraham, who writes the opinion of the Appellate Division, says in part:

MARINE INTELLIGENCE.

MINIATURE ALMANAG-THIS DAY. Sandy Hook.11:25 | Gov. I'd.....12:00 | Hell Gate ...1:33

Arrived-PRIDAY, April 17. Arrived—FRIDAT, April 17.
Se Gallia, Gibrahar, April 5.
Se Bristol City, Bristol, April 1.
Se New York(tank), Shields, April 4.
Se Goldsboro, Rotterdam.
Se Syracuse, Rio Janelro, March 25.
Se Cyrisaba, Chenfuegos, April 6.
Se El Paso, Galveston, April 11.
Se J. M. Guffer, Sabine Pass, April 10.
Se Bergeneren, Baracos, April 10.
Se Milano, Newport News, April 10.
Se Monroe, Newport News, April 10.
Se City of Memphia, Savannah, April 15.
Se Nuccea, Galveston, April 20.
Se Bluefields, Baltimore, April 16.

Ss Trave, from New York, at Genoa. Ss La Bretagne, from New York, at Hawre. Ss Deutschland, from New York, at Hamburg. SAILED PROM PORRIGH PORTS.

OUTGOING STRANSHIPS.

Assembly district was not authorized to select a member of the Executive Committee.

It was said last night by Devery and his lawyers that their defeat was only temporary and caused by the failure of the exchief to appear in person before the executive committee with a demand for recognition. This view of the decision is contradicted by this passage from Justice Ingraham's opinion:

The provision of the statute that requires that the modified rules should be filed with the custodian of primary elections does not avoid an amendment in case that provision is not complied with, and the fact that a certified copy of such amended rule was not so filed before this application was made does not effect the position or entitle this relator to a mandamus which would require the General Committee to recognize as a member of the Executive Committee any person that presented himself as the one elected to that position by the relator and his associates.

Lawyer Abram T. Elkus, Devery's counsel, refused to talk about the decision, or to disclose his client's plans for the future beyond saying that the fight would continue. He handed out a typewritten statement later, of which the following is the substance:

The effect of the Appellate Division decision to the property of the Sall Tuesday, April 2L Dag btorg Liverpool Liverpool Huli Albano Gibraltar Alene Leba Alene Carlobee St. Thomas Ickla Christiansand Sturing S INCOMING STRAMSHIPS.

substance:
The effect of the Appellate Division decision is to insure to every member of the Devery delegation his place as a member of the County Committee. The Court holds, however, that Mr. Devery should have demanded recognition at a meeting of the Executive Committee before the mandamus was brought. Liverpool.... Liverpool.... Copenhagen. Jacksonville. Max D. Steuer and Charles L. Hoffman, the Tammany counsel, declared that the decision was so sweeping that Devery did not have a foot to stand on in any further fight. They declared themselves beyond any fear that the matter might be carried to the Court of Appeals with any hope of Due Monday, April 20. to the Court of Appeals with any hope of success.

"By reason of this decision," said Mr. Hoffman, "Mr. Devery will be excluded from representation in the Executive Committee. The Court holds that the General Committee, representing the entire city, has a right to have an executive committee such as it sees fit to elect. The Court also holds that no writ of peremptory mandamus can issue against a political organization to control its actions, where the person who comes into court asserts one state of facts, any part of which is denied by the organization." Due Tuesday. April 21. Due Wednesday, April 23.

person who comes into court asserts one state of facts, any part of which is denied by the organization."

Devery himself refused to admit that he was beaten. A special meeting of the William S. Devery Association had been called in expectation of the decision. The rooms of the association at Eighth avenue and Twenty-third street were packed by followers of the ex-Chief who had come to hear of the result of the fight. They were told that they had come out winners, but the lameness of their applause seemed to indicate that they had some difficulty in believing it.

Devery made one of his old-time speeches. He intends to present himself at the first meeting of the Tammany Executive Committee and demand a place on it. If refused he will apply for another writ. To help him carry out this scheme the association adopted a resolution once more declaring him to be their regularly elected representative on the executive committee. This is what Devery said:

I want you to understand that on this constinct was my mistake what did it. I

We invite criticism. We expect it-but haven't been getting it.

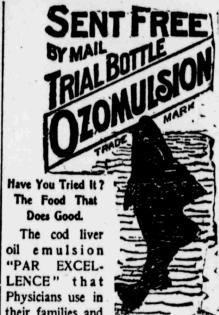
Our disappointment is of course mingled with satisfaction-because it argues that the Loftus way-everything right or no pay-is "catching on.

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sentative on the executive committee. This is what Devery said:

I want you to understand that on this occasion it was my mistake what did it. I wanted to look after our general welfare and after every hair on the head of everybody present. (Wild cheers.) No insult meant to that gentleman in the corner what seems rather bare on top. But I thought I had made all the demand what was necessary. The court says I should have gone there myself and demanded admission. Supposing I'd gone, and you with me. Perhaps with them 100 cops stored away in the cellar in command of Capt. Fitzpatrick you and me and all of us would have found ourselves thrown into the middle of Fourteenth street, or locked up in the Eighteenth precinct. But we preferred to be law-abiding citizens. And so I gone and got an injunction instead. This decision is in favor of one and everybedy of the general committee, put as were



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BREWERY SYNDICATE'S PLAN. Underwriting Syndicate is Being Formed by Guardian Trust Co.

CLEVELAND, April 17.-Cleveland capitalists are completing the underwriting syndi-cate for the United Brewing Company that is to absorb the numerous breweries at Buffalo, N. Y. The underwriting syndiat Buffalo, N. Y. The underwriting syndicate is being formed by the Guardian Trust Company. It will have \$6,000,000 capital, half preferred and half common stock. The \$6,000,000 bonds are to draw six per cent and run 50 years. Only \$5,000,000 will be put out at present. They will go at par and interest and a 25 per cent. stock bonus, both preferred and common, goes with the bonds; \$1,500,000 worth of bonds will be accepted by Buffalo people on the purchase price and \$3,500,000 are to be taken by the syndicate and pooled for a year with H. F. MoIntosh, L. W. Prior and J. H. Dempsey. The bonds are subject to call and payment at 107%.

Buffalo breweries last year produced 500,000 barrels of beer. The estimated annual earnings of the merged company are \$726,000.

Mrs. John B. Stewart Gets a Divorce. SIOUX FALLS, S. D., April 17 .- The latest recipient of a South Dakota divorce is Mrs. Elizabeth Stewart of New York city. The defendant was John B. Stewart, a clerk at 52 Broadway, New York.

Retired Army Officer a Suicide. St. Louis, April 17.—Lieut. Thomas F. Howard, U. S. A. retired, committed suicide at the Missouri Baptist Hospital this morning by cutting his throat with a rezor. An attendant found him dead.

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